

AMENDMENT UNDER 37 CFR § 1.111  
Application No. 09/351,147

### REMARKS

#### Status of Claims

Claims 1 through 10 presently stand rejected. Claim 1 is amended herein and claim 4 is cancelled. Claims 1 through 3 and 5 through 10 remain pending in the application with claim 1 being independent.

#### Rejection Under 35 USC §103(a)

Claims 1 through 10 are rejected under 35 USC §103(a) as being unpatentable over Drake et al. (U.S. Patent No. 5,898,089) in view of EP 0323736.

The Examiner has stated that the Drake reference discloses a process for converting a hydrocarbon feed that may be diluted with steam to produce a C<sub>6</sub>-C<sub>8</sub> aromatic hydrocarbon and olefins such as ethylene and propylene using a zeolite catalyst composition. The Drake reference does not disclose the claimed initial silica/alumina ratio, does not disclose the amounts of each component as in claim 3, and does not disclose the catalyst to hydrocarbon feed weight ratio as in claim 6.

The Examiner further states that the EP reference discloses a catalyst that has an initial silica/alumina ratio within the claimed range and can catalyze the conversion of a hydrocarbon to an aromatic compound and an olefin. It is respectfully noted that the EP reference teaches that a higher silica/alumina ratio would be preferable, but that since ZSM-5 may be difficult to prepare with the desired silica/alumina ratios a ratio of 70:1 or less may be used. Applicants have amended claim 1 to reflect a range of silica/alumina ratios more directly supported by the data presented in the specification. The present claim cites a range of between about 5 and about 30. Considering the teaching of the EP reference that higher ratios are preferred, there is clearly no motivation to select a ratio from the much lower range presently claimed.

Applicants respectfully submit that the combination of the Drake and the EP references do not render the present claims obvious.

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### CONCLUSION


For the reasons advanced above, Applicants respectfully submit that all pending claims patentably define Applicants' invention. Entry of this Amendment and allowance of the application is earnestly solicited.

Should the Examiner have any further comments or questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,

Date

9/16/03

  
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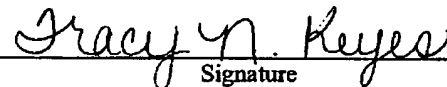


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